14 LC 36 2379

House Bill 825

By: Representatives Houston of the 170<sup>th</sup>, Greene of the 151<sup>st</sup>, Powell of the 171<sup>st</sup>, Watson of the 172<sup>nd</sup>, Shaw of the 176<sup>th</sup>, and others

## A BILL TO BE ENTITLED AN ACT

- 1 To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages,
- 2 so as to permit fruit growers licensed as farm wineries to obtain a license authorizing the
- 3 production of distilled spirits and fortified wines pursuant to certain conditions; to limit the
- 4 number and location of tasting rooms a farm winery also licensed as a manufacturer of
- 5 distilled spirits is authorized to have; to provide for related matters; to provide for an
- 6 effective date; to repeal conflicting laws; and for other purposes.

## BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 SECTION 1.

- 9 Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is
- amended by revising subsection (c) of and adding a new subsection (f) to Code Section
- 3-4-24, relating to issuance of license to fruit growers to manufacture distilled spirits, storage
- 12 and disposition, limitations upon manufacture and sale, issuance of manufacturer's or
- 13 distiller's license in certain counties or municipalities, and educational and promotional tours,
- 14 as follows:

7

- 15 "(c) It is shall be unlawful for the licensee to sell or dispose of any such distilled spirits or
- 16 alcohol:
- 17 (1) In any municipality, county, or unincorporated area of a county in which the sale of
- distilled spirits or alcohol is prohibited by this chapter; or
- 19 (2) To any person not holding an importer's, broker's, or wholesaler's license issued
- 20 pursuant to this chapter or by another state."
- 21 "(f) The commissioner may issue a license pursuant to this Code section to a fruit grower
- 22 <u>licensed as a farm winery authorizing such fruit grower to manufacture distilled spirits and</u>
- 23 <u>fortified wines for sale exclusively through a licensed and designated wholesaler; provided,</u>
- 24 <u>however, that the farm winery has no more than one tasting room located on its licensed</u>
- 25 premises. For purposes of this subsection, the term 'licensed premises' shall mean the

14 LC 36 2379

premises for which the farm winery license is issued or property located contiguous to the
 farm winery and owned by the winery."

28 SECTION 2.

- Title 3 is further amended by revising subsection (b) of Code Section 3-6-21.1, relating to the licensing of farm wineries to engage in retail and wholesale sales, surety bonds, and excise taxes, as follows:
- "(b) The commissioner may authorize any Georgia farm winery to offer wine samples and 32 33 to make retail sales of its wine and the wine of any other Georgia farm winery in tasting 34 rooms at the winery and at five additional locations in the this state for consumption on the 35 premises and in closed packages for consumption off the premises; provided, however, that 36 notwithstanding any other provisions of this title to the contrary, if the licensee is also 37 issued a license pursuant to Code Section 3-4-24, the commissioner shall not authorize more than one tasting room for such Georgia farm winery and shall require that such 38 39 tasting room shall be located on the licensed premises of the Georgia farm winery; and provided, further, that the Georgia farm winery shall not sell its wine or the wine of any 40 other farm winery in more than one tasting room, and such tasting room shall be located 41 42 on the licensed premises of the Georgia farm winery. For purposes of this subsection, the 43 term 'licensed premises' shall mean the premises for which the farm winery license is issued or property located contiguous to the farm winery and owned by the farm winery." 44

45 **SECTION 3.** 

- 46 This Act shall become effective upon its approval by the Governor or upon its becoming law
- 47 without such approval.

48 **SECTION 4.** 

49 All laws and parts of laws in conflict with this Act are repealed.